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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)
)
Assessment and Collection of)
Regulatory Fees for Fiscal) MD Docket No. 95-3
Year 1995)

COMMENTS OF THE AMERICAN RADIO RELAY LEAGUE, INCORPORATED

The American Radio Relay League, Incorporated (the League), the national association of amateur radio operators in the United States, by counsel and pursuant to Section 1.415 of the Commission's Rules (47 C.F.R. §1.415) hereby respectfully submits its comments in response to the Notice of Proposed Rule Making (the "Notice"), FCC 95-14, 60 Fed. Reg. 3807, released January 12, 1995. The Notice proposes to revise its Schedule of Regulatory Fees in order to recover the amount of regulatory fees that Congress, pursuant to Section 9 of the Communications Act (47 U.S.C. 159(b)(2)), has required it to collect for Fiscal Year 1995. The Commission's rules proposed to be amended are 47 C.F.R. §§1.1152 - 1.1155. Relative to the proposed regulatory fee for FY 1995 that is to be recovered for the Vanity Call Sign program in the Amateur Radio Service, the League states as follows:

1. The Notice indicates that the proposed regulatory fees contained in Appendix B thereof are, in many instances, significantly higher than the fees that were assessed for recovery of regulatory costs for FY 1994. Such is not the case with respect to recovery of the regulatory fee for the newly adopted Vanity Call

Sign program in the Amateur Service, which has yet to begin. See, the Report and Order, FCC 94-343, released February 1, 1995. As initially configured in the Report and Order, FCC 94-140, 9 FCC Rcd. 5333 (1994), dealing with FY 1994 regulatory fees, the annual regulatory fee for those amateur licensees who choose to avail themselves of the Vanity Call Sign program, was established at \$7.00 per year, to be paid in advance for the ten-year term of the license, or \$70.00 every ten years for the use of the call sign. That regulatory fee is not unreasonable, and appears to be acceptable to the Amateur Radio community generally. Should all of the preferred call signs prove unavailable, the regulatory fee would be refunded to the applicant.

2. The Notice proposes to reduce the Vanity Call Sign fee for FY 1995 from \$7.00 per year to \$3.00 per year, payable in advance for the ten-year term of the license. The League has no objection to the amount of this proposed fee. The Commission has calculated this fee based on an estimated cost of the Vanity Call Sign program, administered at the Gettysburg office of the Commission's Wireless Telecommunications Bureau, of \$60,000 per year. The estimate of participants in the program is 2,000 licensees. It is not apparent that the estimated number of participants is accurate; the League would suggest that the number of participants in FY 1995, the first year of the program, could be considerably higher. That, of course, would increase the Commission's costs in terms of Full Time Equivalent employees (FTEs) required for the program. The League believes that the Vanity Call Sign program is a distinct

benefit to the Amateur Service and should be cost-neutral to the Commission in its administration, as Congress intended when it included a regulatory fee therefor in the Schedule of Regulatory Fees, 47 U.S.C. §159(b)(2). Accordingly, a review of the cost of this program to the Commission should be undertaken before any change from the current \$7.00 per year fee.

3. While it is not within the scope of this proceeding, the League noted its comments in Docket 94-19, and would reiterate now, that it supports the conversion of the fee for the Amateur Vanity Call Sign program from an annualized regulatory fee to a one-time application fee under Section 8 of the Communications Act, provided that the application fee would be refundable to the applicant if none of the requested call signs are available to the applicant. The League notes that legislation was introduced to convert such fees from Section 9 fees to Section 8 fees in the last Congress, but that legislation did not pass before the close of the session. The League would support reintroduction of similar legislation during this session of Congress, with the provisions referenced herein.

4. No other portion of the instant proceeding is relevant to the Amateur Service, and as such the League has no comment with respect to the remainder thereof.

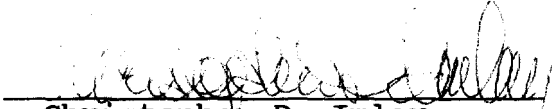
Therefore, the foregoing considered, the American Radio Relay League, Incorporated respectfully requests that the Commission implement the proposed vanity call sign regulatory fee as proposed, provided that it is convinced that the estimated number of

participants in the program, and the FTE employee estimate, are valid.

Respectfully submitted,

**THE AMERICAN RADIO RELAY
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